

House File 2494

H-8330

1 Amend the amendment, H-8298, to House File 2494 as
2 follows:
3 1. Page 1, by striking lines 34 through 41 and
4 inserting:
5 <<Sec. ____ . NEW SECTION. 148F.3A Insurance and
6 liability.
7 1. If the board determines that liability insurance
8 is available to licensed midwives at a cost comparable
9 to that available for nurse midwives, the board shall
10 mandate such coverage by rule. Until that time, a
11 licensed midwife shall provide each client with a
12 disclosure statement indicating that the midwife does
13 not have liability insurance as provided in section
14 148F.5.
15 2. A midwife is personally liable for negligence or
16 an act of malpractice. This liability cannot be waived
17 and cannot be shielded through a corporate or other
18 business structure.
19 3. The board shall form a task force, comprised of
20 licensees and insurance professionals, to investigate
21 the feasibility of forming an insurance pool for
22 licensees.>
23 2. Page 2, after line 11 by inserting:
24 < ____ . Page 7, after line 13 by inserting:
25 Sec. ____ . LIABILITY. Nothing in this Act shall
26 preclude or limit liability established pursuant to any
27 other section of the Code or other provision of law.
28 Sec. ____ . REPEAL. If an insurance pool is not
29 formed or liability insurance is not available as
30 described in section 148F.3A, as enacted in this Act,
31 by June 30, 2011, this Act is repealed July 1, 2011.>>
32 3. By renumbering as necessary.

STRUYK of Pottawattamie